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Second report of the Secretary-General pursuant to paragraph 6 of resolution 2061 (2012)

I. Introduction

1. In paragraph 6 of its resolution 2061 (2012), the Security Council requested me to report to it every four months on the progress made towards the fulfilment of the responsibilities of the United Nations Assistance Mission for Iraq (UNAMI). The current report is the second submitted pursuant to that resolution. It covers key political and security developments as well as regional and international events concerning Iraq and provides an update on the activities of the United Nations in Iraq since the issuance of my previous report, dated 16 November 2012 (S/2012/848).

II. Summary of key political developments pertaining to Iraq

A. Internal developments

2. While all members of the national partnership Government continued to stress their goodwill and commitment towards building a peaceful and non-sectarian future for Iraq, political tensions and security incidents intensified during the reporting period. In late November, relations between the Government of Iraq and the Kurdistan Regional Government deteriorated over the issue of security coordination in the disputed territories, and the protests that erupted in several governorates in late December have presented major challenges for the Government of Iraq ahead of the upcoming governorate council elections.

3. Relations between the Government of Iraq and the Kurdistan Regional Government have been sharply strained by the decision of the Government of Iraq to establish the Dijla (Tigris) Operations Command in the areas of disputed internal boundaries. On 16 November, in Tuz Khurmatu, one of the disputed areas in Salah ad-Din Province, the Iraqi army's attempt to implement an arrest warrant against a Kurdish suspect resulted in the death of 1 civilian and 18 injured. This led to the deployment of additional Iraqi army and Peshmerga forces in Tuz Khurmatu and Kirkuk. On 10 December, the President of the Kurdistan Regional Government, Massoud Barzani, visited the city of Kirkuk to inspect the Peshmerga forces.

4. On 13 December, President Jalal Talabani announced an agreement between the Government of Iraq and the Kurdistan Regional Government to replace

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Peshmerga and Iraqi military forces with a local force comprising Arabs, Kurds and Turkmen, without a clear timeline for implementation. On 17 December, President Talabani suffered a stroke and since 20 December has been convalescing outside of Iraq. His absence has left a leadership gap in the dialogue between the central and regional governments. On 26 December, negotiations resumed between the Ministry of Defence and the Peshmerga ministry of the Kurdistan Regional Government. In late January, a joint committee began steps towards a mutual withdrawal of troops and implementation of a joint security agreement. On 27 January, the committee put on hold all military movements while negotiations continued on the future locations of combined coordination centres or modalities for the withdrawal of troops.

5. The tense situation in the disputed areas was accompanied by an increase in security incidents. Two Turkmen schoolteachers were kidnapped on 17 December, and their bodies were found two days later. The investigation is ongoing. On 16 January, the offices of the Kurdistan Democratic Party and the Kurdistan Patriotic Union in Kirkuk were hit in a suicide attack. On 23 January, an attack on a mosque in Tuz Khurmatu led to renewed calls by Turkmen political parties for the establishment of a Turkmen security force. On 3 February, coordinated attacks on the police headquarters in Kirkuk resulted in 33 dead and 90 wounded, and on 18 February, multiple explosions in Kirkuk resulted in one death and several injuries.

6. Kurdistan opposition parties have increasingly alleged that the Kurdistan Democratic Party and the Patriotic Union of Kurdistan are monopolizing power in the region. On 17 January, President Barzani met with a delegation of leaders of the Gorran party, the Kurdistan Islamic Union and the Kurdistan Islamic Group, which proposed to change the presidential system in the Kurdistan Region to a parliamentary system. On 30 January, the opposition declined a proposal by the Kurdistan Democratic Party and the Patriotic Union of Kurdistan to join the Regional Government.

7. On 4 December, the State of Law Coalition suggested reducing the Kurdistan Regional Government's share of the national budget from 17 per cent to 13 per cent. The demand by the Regional Government that Peshmerga salaries be paid by the Government of Iraq has yet to be accepted. In addition, Iraqiya's demand that some allocations for the Council of Ministers secretariat be diverted into capital investments has stalled the adoption of the budget for 2013. There is agreement, however, among the parliamentary blocs to maintain the status quo regarding the Kurdistan Regional Government's share of the national budget and that a census should serve as a basis for future estimates.

8. On 20 December, several members of the security detail of Iraqiya Finance Minister Rafi al-Issawi were arrested on terrorism charges. In response, protests broke out on 23 December in Anbar Province, blocking the main highway to the Syrian Arab Republic and Jordan. By 4 January, demonstrations spread to Anbar, Salah ad-Din, Ninewa and Diyala Provinces and in northern Baghdad, while several counterdemonstrations were held in the capital and southern governorates, including Karbala, Muthanna, Qadissiyah and Basra Provinces. Those events have increased concern across the political spectrum about the risk of the radicalization of politics along sectarian lines.

9. On 6 January, the demonstrators issued a list of demands, focusing largely on the implementation of the rule of law and governance, including the suspension or

abolition of article 4 of the Anti-Terrorism Law, parliamentary adoption of the General Amnesty Law and abolition or review of the Justice and Accountability Law. They denounced structural problems within the overburdened judiciary and alleged corruption in law enforcement. The demonstrators demanded the immediate release of all prisoners who had already been released by the court or had yet to be charged, and women who were in custody in lieu of their kin. They also called for the transfer of women detained on criminal charges to their respective provinces as well as investigations into human rights violations, specifically alleged torture, confessions obtained under duress and abuse of female detainees. The protests led to the temporary closure of crossing points on the border with Jordan and the Syrian Arab Republic (Al-Walid, Trebil and Rabia) between 9 and 18 January.

10. In an effort to defuse the crisis, the Government of Iraq on 8 January appointed a ministerial committee, headed by the Deputy Prime Minister, Hussain al-Shahristani, and including the Justice Minister, Hasan al-Shammari, and the Human Rights Minister, Mohammed al-Sudani, to address those demands of the demonstrators that did not contradict the Constitution. On 3 and 17 February, Mr. Al-Shahristani announced the release of 3,000 and 2,475 detainees, respectively. He stated on 17 February that the ministerial committee was processing 81,000 claims from political martyrs, prisoners and victims of terrorism of the previous regime and those facing "de-Baathification". According to the Deputy Prime Minister, the committee processed 2,400 of the 3,300 claims of persons whose houses were ordered to be seized following de-Baathification in order to return properties to their owners. The committee continues to meet on a regular basis to discuss the human rights issues raised by the demonstrators.

11. Parallel to the Government's efforts to respond to the protests, an inter-coalition committee headed by the leader of the National Alliance, Ibrahim al-Jaafari, met for the first time on 16 January. Composed of representatives of the National Alliance, Iraqiya and the Kurdish Alliance, the committee was to put forward recommendations for revising the contested laws and their application. In addition, a "council of wise men", comprising mainly pro-government Sunni Islamic scholars, was created on 31 December to facilitate dialogue between demonstrators and the Government.

12. Since late December, Iraqiya ministers have boycotted the sessions of the Cabinet and attended only sessions of the Council of Representatives relating to the budget. The Iraqiya ministers were placed on special leave by the Prime Minister, who requested, effective 29 January, that other ministers run the ministries on an interim basis. On 13 January, the office of Grand Ayatollah Ali al-Sistani called upon all political parties to end sectarian rhetoric and enter into negotiations, including to consider the demands of the protestors. Iraqiya continues to boycott cabinet meetings.

13. On 15 January, one of the founding members of the Sahwa Council in Iraq and parliamentarian, Ifan al-Issawi, was killed in a suicide bombing in Fallujah. The Islamic State of Iraq claimed responsibility for the attack. On 25 January, four people were killed and several injured in Fallujah in clashes between security forces and demonstrators. On 25 February, the Governor of Diyala Province was injured in an assassination attempt. No one claimed responsibility for the attack.

14. On 19 January, a parliamentary board approved a request to summon the Prime Minister on the grounds of violating the Constitution. On 26 January, the Council of

Representatives passed a law with a majority of 170 votes to limit the President, Prime Minister and Speaker of the Council of Representatives to two terms of office. The State of Law coalition, which voted against the law, said that it would refer the law to the Federal Supreme Court for a review of its validity.

15. On 15 February, the Justice and Accountability Commission dismissed Medhat al-Mahmoud as the head of the Federal Supreme Court for his alleged Baathist connections, prompting disputes between the executive and legislative branches over their respective competencies in relation to the appointment of members of different independent bodies. On 17 February, the Prime Minister replaced the newly appointed head of the Justice and Accountability Commission, Hasan Shanshal, with another member of the Commission, Basim Badri. On 18 February, the Speaker of the Council of Representatives reappointed Mr. Shanshal. On 19 February, the Appeals Board of the Justice and Accountability Commission overturned the removal of Mr. Al-Mahmoud.

B. Regional and international developments

16. The normalization of relations between Iraq and Kuwait continued to progress. On 20 November, the Iraq Council of Ministers agreed to pay $500 million to Kuwait Airways in a compensation settlement. Following the subsequent withdrawal of Kuwaiti lawsuits against Iraqi Airways, Iraqi Airways began to operate flights to Kuwait on 27 February, for the first time in 22 years. In a similarly welcome development, the Parliament of Kuwait ratified an agreement on the navigation of the Khor Abdallah waterway, reached during the last meeting of the countries' Joint Ministerial Committee.

17. On 5 December, I visited Kuwait to meet with its leadership, including the Emir and the Prime Minister, on the normalization of Iraq-Kuwait relations. My Special Representative visited Kuwait on 5 March, where he met with Kuwaiti officials and discussed the outstanding issues between the two countries, including the Iraq-Kuwait boundary maintenance project.

18. On 6 December, I travelled to Baghdad, where I met with President Talabani, the Prime Minister, Nuri al-Maliki, and the Speaker of the Council of Representatives, Usama al-Nujaifi. I also addressed the heads of blocs in the Council of Representatives and discussed with President Barzani the general situation in the country, including Baghdad-Erbil relations. I also met the Chair of the Independent High Electoral Commission, Sarbast Mustafa. My discussions in Baghdad focused on the internal political situation, the stalemate between major political blocs, the forthcoming governorate council elections and human rights issues in Iraq; the situation in the Syrian Arab Republic; and relations between Iraq and Kuwait. I welcomed the progress made in building State institutions and urged leaders to engage in an inclusive political dialogue without any further delay to achieve necessary reforms and enact constitutionally mandated legislation. I also assured the Government of Iraq of the support of the United Nations for its fulfilment of obligations under Chapter VII of the Charter in relation to Kuwait.

19. On 10 December, Iraq nominated its technical observers to participate in the field maintenance work of the Iraq-Kuwait boundary maintenance project pursuant to Security Council resolution 833 (1993). On 17 December, the Iraqi technical observers arrived in Kuwait. On 14 January, my Deputy Special Representative for

Political Affairs formally launched the field maintenance work in the presence of representatives from both countries. Both sides committed to take the steps necessary to ensure that the work is completed by the deadline of 31 March. At the time of reporting, the work is on schedule, and the Government of Iraq has started to remove the obstacles between boundary pillars, with the notable exception of the residential constructions in the Umm-Qasr area. With regard to the implementation of Security Council resolution 899 (1994), the Government of Iraq announced on 29 November that it would update the list of those eligible for compensation. The Government has yet to respond, however, to the proposal by the United Nations to transfer the funds for that purpose without delay.

20. On 24 December, Prime Minister Al-Maliki met in Jordan with King Abdullah II. The countries concluded several bilateral agreements, including on building an oil pipeline through Jordan. The pipeline would carry a million barrels a day and provide Jordan with all its crude oil requirements.

21. The political, humanitarian and security ramifications of the ongoing civil war in the Syrian Arab Republic continue to be a source of serious concern for Iraq, which hosts thousands of refugees fleeing the conflict. The Government of Iraq continues to emphasize a Syrian-led solution to the crisis, including dialogue towards a political transition comprising all Syrian constituents.

22. During the reporting period, the Turkish armed forces carried out military operations, including aerial bombing and artillery shelling in the Kurdistan Region of Iraq, against the Kurdistan Workers Party in response to its cross-border terrorist attacks.

III. Activities of the United Nations Assistance Mission for Iraq and the United Nations country team

A. Political activities

23. My Special Representative, Martin Kobler, visited Kirkuk on 22 January and 27 February to discuss the current political crisis with governorate officials and the potential modalities for holding governorate council elections in Kirkuk. Despite continued facilitation by UNAMI and the agreement between the components on the importance of the elections in Kirkuk, negotiations between the parties are at a stalemate, and the prospect for elections in the Kirkuk Governorate remains limited. The current political crisis has also overshadowed this issue on the national political agenda.

24. On 20 and 21 November, my Special Representative visited Kuwait to meet the Prime Minister, Sheikh Jaber al-Mubarak al-Sabah, the Deputy Prime Minister and Minister for Foreign Affairs, Sheikh Sabah Khalid al-Sabah, and the Minister of Communications, Salim Alozainah, in preparation for my forthcoming visit.

25. During the reporting period, my Special Representative held regular meetings with key government officials, among them Prime Minister Al-Maliki, the Vice-President, Khudhair al-Khuza'e, Deputy Prime Ministers Saleh al-Mutlaq and Hussain al-Shahristani, and the Speaker of Parliament, Osama al-Nujaifi, in order to discuss how to defuse the ongoing political crisis. My Special Representative encouraged all Iraqi political and religious leaders to engage constructively in direct

dialogue to defuse the crisis. He reiterated to his interlocutors the importance of respecting human rights and addressing the demands of the demonstrators seriously, in accordance with the law and Constitution of Iraq. He urged the Government of Iraq to exercise the utmost restraint in dealing with the demonstrators. At the same time, he pressed the representatives of the demonstrators to keep their actions peaceful and within the bounds of the law.

26. On 12 January, my Special Representative met in Erbil with President Barzani. On 13 January, he met in Najaf with Grand Ayatollah Al-Sistani and the Governor. On 21 January, he met in Baghdad with religious leaders, including Ayatollah Sayed Hussein al-Sadr. On 22, 27 and 29 January, UNAMI representatives visited Al-Anbar, Salah ad-Din and Ninewa Provinces, respectively, where they met with the representatives of the protestors and local government. On 29 January, my Special Representative met in Mosul with local authorities and demonstrators. On 30 and 31 January, my Special Representative met tribal leaders and the President of the Awakening Council, who expressed concern about the current situation. My Special Representative reiterated the importance of the demonstrations remaining peaceful and of all parties exercising restraint and engaging in dialogue, and emphasized the readiness of the United Nations to assist. On 19 February, he visited Erbil, where he met with Nechirvan Barzani, Prime Minister of the Kurdistan Regional Government, and other leaders. On 20 and 26 February, UNAMI representatives visited Fallujah and Tirkrit and met with local authorities and demonstrators. On 24 February, my Special Representative met separately with Speaker Al-Nujaifi and the Minister of Finance, Rafi al-Issawi. On 27 February, my Special Representative met in Kirkuk with key stakeholders.

27. My Special Representative continued to use his good offices to engage all parties, including the committees headed by Deputy Prime Minister Al-Shahristani and Mr. Al-Jaafari, to assist in defusing the crisis. On 17 February, in response to the request by UNAMI for the Government of Iraq to follow up on the human rights situation, Mr. Al-Shahristani appointed a focal point within his office to work on individual human rights cases submitted to UNAMI.

28. UNAMI continued to provide advice and technical assistance to the Council of Representatives on a draft law to establish the Federation Council and engaged with parliamentarians and provincial governors on the political framework for the Federation Council, including its composition, power and procedures. A draft law to establish the Federation Council is under deliberation by the Council of Representatives, which is receiving advice and technical assistance from UNAMI.

29. In February UNAMI marked World Interfaith Harmony Week. My Special Representative led a delegation of 40 Iraqi youth to a number of holy places in Iraq and convened discussions on the aspirations of youth for the country's future.

B. Electoral assistance activities

30. Preparations for the governorate council elections on 20 April intensified under the leadership of the new Board of Commissioners of the Independent High Electoral Commission. Significant progress was made, including the finalization of a legal and regulatory framework, completion of the voter registry update, registration of entities and candidates and external relations.

31. On 13 December, the Council of Representatives voted to adopt the Sainte-Laguë formula for allocating seats in the governorate councils following negotiations among political blocs and consultations between the Legal Committee of the Council of Representatives, the Independent High Electoral Commission and UNAMI, during which the Mission provided a draft of the amendment to the Legal Committee. This formula replaces a provision in the electoral law that was ruled unconstitutional by the Federal Supreme Court.

32. Concerned that the new formula may lead to fewer women being elected in governorate councils, UNAMI proposed to the Independent High Electoral Commission, on 23 December, a number of potential measures, including a provision guaranteeing that no fewer than 25 per cent of a governorate council's seats would be awarded to women and a legal provision ensuring that there would be one woman for every two winners in an entity list.

33. On 17 January, an integrated gender task force on elections was established. Bringing together UNAMI, the United Nations Development Programme (UNDP) and the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), the task force coordinates efforts for gender mainstreaming and women's participation as voters and candidates in elections. The task force works with the Independent High Electoral Commission gender team, headed by the only female commissioner, to promote gender awareness, including advocacy within the Board of Commissioners and the management of the Commission, the production of outreach materials and a review of the procedures and policies of the Commission. Those initiatives have led the Commission to incorporate gender-disaggregated data in reporting on the polling process. For the first time, the Commission will be able to announce the number of male and female voters.

34. During the voter registration update period of 9 December to 8 January, almost a million individuals checked their registration data in 893 voter registration centres, including 28 centres for internally displaced persons in Kirkuk and the governorates in the Kurdistan Region. More than 300,000 registration forms were issued for additions or changes of entries in the preliminary voters' lists. The voter registry was updated. With advice from UNAMI, the Independent High Electoral Commission is allocating the voters to polling places and updating the voting records for the army and police, with a view to generating the final voter lists.

35. The processes of registering and nominating political entities and coalitions took place as scheduled on 10 January. The Independent High Electoral Commission announced that 265 political entities and 50 coalitions were participating in the April elections. Nomination papers were submitted for 8,302 candidates, of whom 2,205 (26 per cent) are women. On 13 January, the Commission submitted the candidate lists for vetting by the Justice and Accountability Commission. While 446 candidates were initially excluded, 315 were reinstated following appeals. Pursuant to the justice and accountability law, 135 candidates remain excluded. Most excluded candidates are from the governorates of Baghdad, Salah ad-Din, Ninewa and Diyala. Submissions of substitute candidates are being processed. On 18 February, the Commission announced that the start of the campaign would be brought from 25 March to 1 March. Since January, UNAMI has advocated that the Commission cannot shorten the campaign period, as the law stipulates that election campaigns must start once the candidate is officially approved by the Commission.

36. In a letter dated 3 December, the Office of the Prime Minister of Iraq notified the Independent High Electoral Commission of its approval to transfer the Commission staff from contractual to permanent (civil servant) status. On 10 February, the Chief Electoral Officer of the Commission announced that roughly 4,000 staff were henceforth considered civil servants. Advocated by UNAMI since 2006, civil servant status will contribute to the professionalization of the workforce and the retention of experienced electoral staff.

37. The United Nations integrated electoral assistance team continues to provide advice and assistance to the Independent High Electoral Commission on operational and external relations activities, including through the participation of UNAMI in the meetings of the Board of Commissioners. The rehabilitation of the Commission's data-entry centre was completed, with the support of the United Nations Office for Project Services. United Nations advisers provide regular advice to the Commission's software developers on software for tabulating election results. A number of mechanisms for polling and counting, special voting, and complaint management have been finalized. United Nations military advisers take part in meetings of the high committee on electoral security. Aside from providing advice in the planning and design of public outreach campaigns, the United Nations team, through UNDP, supports the production of outreach materials to enhance the profile of the Commission in the elections.

38. In meetings with the diplomatic community in Iraq, facilitated by my Special Representative, the Board of Commissioners has underlined its goals of building confidence and enhancing the credibility of the elections. Invitation letters for election observation have been sent to international and regional organizations and diplomatic missions in Iraq through the Ministry of Foreign Affairs. Domestic observation is also planned. The Independent High Electoral Commission has thus far accredited 6,053 domestic observers and 8,305 political entity agents.

39. In November, a needs assessment mission was deployed to Iraq to evaluate ongoing needs and gaps in electoral assistance, given the prospect of several elections over the next two years. In the mission report, it was highlighted that electoral assistance will remain a priority for UNAMI and the integrated electoral assistance team in 2013-2014, with assistance focusing on the areas of information and communications technology, the voter registry, legal advice, gender mainstreaming, external relations and strategic planning. As the remaining technical gaps with respect to the Integrated Electoral Assistance Team are addressed, the nature and extent of United Nations electoral assistance beyond 2014 would be subject to a new request and needs assessment.

C. Human rights activities and developments

40. UNAMI continued to monitor prisons and places of detention under the responsibility of the Ministry of Justice in different parts of Iraq, including the Kurdistan Region. Conditions in detention facilities under the authority of the Ministry continue to improve, including physical conditions and rehabilitation programmes, as well as medical and psychological services. The Ministry is in the process of implementing reforms to bring prisons and detention facilities in line with international human rights standards, including the reparation and construction of premises. The remaining overcrowding issue in some prisons is also expected to be addressed.

41. UNAMI has not been granted access to detention centres under the authority of the Interior Ministry. Many detainees and prisoners interviewed by UNAMI in Ministry of Justice facilities and family members of persons held in detention centres under the Interior Ministry have alleged abuse, mistreatment and, at times, torture by authorities.

42. The justice system continues to implement the death penalty for serious crimes, particularly those relating to terrorism. On 16 December, the Presidential Council ratified 28 death sentences. All persons whose sentences were ratified were convicted under the Anti-Terrorism Law for involvement in attacks against civilians and security forces. Despite weaknesses in the administration of justice, my frequent appeals for a moratorium on the implementation of the death penalty in accordance with relevant General Assembly resolutions remain unheeded.

43. On 15 December, the Iraqi Council of Representatives ratified the Law on the High Judicial Council, which stipulates that the President of the Court of Cassation (appeals court) will simultaneously be the President of the High Judicial Council instead of the President of the Federal Supreme Court (constitutional court). Representatives of the State of Law Coalition boycotted the session, stating that they intended to challenge the new law, as it was approved without the required parliamentary quorum.

44. Violence against women, including honour-related crimes, continued to be reported. UNAMI received reports of the killing, burning and suicide of women, especially in the Kurdistan Region, where the Regional Government has made an effort to collect information and formulate policies aimed at addressing this serious issue. According to statistics from the Kurdistan Region general directorate responsible for following up on violence against women, there were 20 cases of killing and suicide in November and December, 33 cases of burning and attempts to burn and 634 complaints of verbal and other forms of harassment recorded in the Region.

45. Grave violations against children continued to be documented. The country task force on monitoring and reporting, co-chaired by UNAMI, received 50 reports of child casualties in November and December in waves of coordinated attacks, mostly through improvised explosive devices. Education and health facilities were also affected. As at the end of December, 302 children (including 13 girls) were being held in detention facilities under article 4 of the Anti-Terrorism Act (2005). A formal mechanism for collaboration on child protection and information-sharing between the country task force and the Government remains to be established.

46. Curbs on the right to freedom of expression and peaceful assembly continued. On 14 December, the Al-Baghdadiya television station was closed down upon orders of the Baghdad Operations Command, with no reason specified. On 16 December, the Baghdad Operations Command ordered the closure of another media outlet, the Al-Mahaba radio station, which disputed the claim that it had not paid its licence fee. The two orders are considered to be in clear breach of Iraqi law, which stipulates that only the Communications and Media Commission has the authority to order the closure of media outlets.

47. Minorities continued to be targeted in acts of violence, including assassination and kidnapping for ransom. On 24 December, Turkmen leaders in Kirkuk alleged that in 2012, 46 Turkmen were assassinated, 12 were kidnapped, 61 died in

explosions and 329 were injured. As part of its attempts to address this issue, UNAMI has offered a number of training sessions on the protection of the rights of minorities with representatives of civil society and Government officials, the latest of which was held on 31 January and 1 February.

48. In Baghdad, UNAMI, in cooperation with the human rights committee of the Council of Representatives and the Iraqi Alliance of Disability Organizations, organized a conference on 22 and 23 December to make recommendations to the Government of Iraq on implementing the Convention on the Rights of Persons with Disabilities, which Iraq had ratified. The recommendations included the establishment of an independent board to oversee the implementation of the Convention, the appointment of focal points within government departments to review policies and procedures to ensure access to services by persons with disabilities and public information campaigns to raise awareness of the rights of persons with disabilities and their contributions to Iraqi society.

49. To assist in the training of the commissioners of the Independent High Commission for Human Rights, UNAMI, in partnership with UNDP, conducted a workshop in Sharm el-Sheikh, Egypt, from 4 to 7 December. The workshop provided participants with practical tools for implementing the Commission's protection mandate, including detention monitoring, the conduct of human rights assessments and inquiries and the investigation of individual complaints, as well as information on the role of national human rights institutions in the protection of human rights defenders and the holding of public inquiries. The Council of Representatives granted the Commission the right to use a temporary office location in the former Parliament building. The Commission has started to recruit staff, which will be essential once it commences full operations in the coming months.

Camp New Iraq and Camp Hurriya

50. On 9 February, 27 rockets were fired at Camp Hurriya, resulting in 7 dead and more than 40 injured. Jaish al-Mukhtar, a militant wing of Hizbullah in Iraq, claimed responsibility for the attack. I condemned the attack, as did my Special Representative, and urged the Government of Iraq to do its utmost to ensure the safety and security of the residents. My Special Representative requested Iraqi authorities to ensure medical care for the wounded and to promptly conduct an investigation. A United Nations team was immediately deployed to the camp to assess the situation and provide assistance. In its rapid response, the Government dispatched teams to secure the area around the camp, assisted with medical transportation of the wounded, inspected the camp area and cleared unexploded ordnance. The Prime Minister formed a committee to investigate the incident.

51. One hundred residents remain in Camp New Iraq (formerly Camp Ashraf). The residents and their leadership insist that their relocation cannot occur until the issue of movable and immovable property is resolved. While flexible on the sale of movable property, the Government of Iraq refuses to provide compensation for immovable property. In January, UNAMI facilitated the visit of the residents' legal representatives to Iraq for the resolution of the property issue. While some progress has been made, the matter remains unresolved. With the issue of the appointment of legal representation in Iraq on the property issue outstanding, the Government of Iraq continues to insist that the remaining 100 residents should relocate to Camp Hurriya immediately.

52. In the Camp Hurriya temporary transit location, the Office of the United Nations High Commissioner for Refugees (UNHCR) had completed the registration of 3,112 individuals and conducted in-depth interviews of 2,024 persons as at 27 February. A total of 1,546 individuals had been determined to have international protection needs, while the cases of the other individuals interviewed were being processed. Simultaneously, UNHCR is seeking durable solutions for individuals with identified international protection needs through resettlement, consular and humanitarian channels. To date, 25 residents have been accepted for consular solutions by seven countries. Another 26 individuals have been accepted for resettlement by five countries. Discussions with other countries are in an advanced stage for the admission on humanitarian grounds of a few hundred persons. The tragic events of 9 February highlight the urgent need to find solutions outside of Iraq for all the residents in the Camp Hurriya temporary transit location as soon as possible.

53. In addition, a number of residents in Camp Hurriya informed UNAMI and UNHCR of their wish not to relocate outside of Iraq but to return to Camp New Iraq. Since December, 19 individuals, including 6 who declined solutions identified in Finland, Sweden and Norway, cited a number of reasons, including a belief that they had the right to remain in Iraq or return to Camp New Iraq, a wish to be the last resident to depart from Iraq or a request for other ill or elderly camp residents to be resettled in their place.

D. Development and humanitarian assistance

54. The conflict in the Syrian Arab Republic continues to affect Iraq, with the influx of humanitarian refugees to Iraq increasing rapidly. As at 20 February, 96,270 Syrian refugees had been registered or were awaiting registration with the Government of Iraq and UNHCR, 87,416 of whom are in the Kurdistan Region. The Humanitarian Coordinator and humanitarian country team in Iraq have stepped up their advocacy to the Government in facilitating the entry of displaced Syrian families through the Al-Qaim border crossing, which remains closed, with exceptions for medical emergencies and family reunification. The UNAMI Gender Unit liaises with UNHCR on the refugee situation, in particular on cases of conflict-related sexual violence.

55. The total number of Iraqis crossing into Iraq from the Syrian Arab Republic as at 21 February was 73,664, including returnees registered in the Syrian Arab Republic as Iraqi refugees and individuals who cross the border for private reasons on a daily basis. Between October and December, 27,120 internally displaced persons and 19,220 Iraqi refugees returned to their places of origin. This brings their total number in 2012 to 218,800 and 82,260, respectively. The Ministry of Migration and Displacement continues to distribute 4 million Iraqi dinars to all new returnee households. Construction of new low-cost housing units has begun on land allocated by the Government to internally displaced persons currently living in informal settlements. Since November, UNHCR has provided one-time cash assistance of $400 for families and $200 for individuals in all Iraqi returnee households.

56. The humanitarian country team, in collaboration with non-governmental organizations, finalized all winterization activities prior to the wet and cold winter season. UNHCR, the humanitarian country team, the Government of Iraq and the

Kurdistan Regional Government scaled up the distribution of thousands of non-food items while replacing light tents with more durable family models. The United Nations Children's Fund (UNICEF) distributed winter clothes to more than 4,300 refugee children and provided access to safe water and sanitation to 10,500 refugees. UNICEF also constructed three schools, benefiting 3,000 refugee students, rehabilitated eight schools, benefiting more than 4,500 Iraqi students, and provided recreational and psychosocial activities to nearly 1,100 refugee children. The World Food Programme (WFP) distributed food vouchers to 30,000 beneficiaries in Domiz camp. The World Health Organization (WHO) distributed 150 wheelchairs and medicine for chronic health conditions in Domiz camp. WFP also provided refugees in Al-Qaim camp with food parcels. During the reporting period, the International Organization for Migration distributed 5,621 emergency and winterization kits to 25,488 Syrian refugees.

57. In late December, UNHCR responded to the worst flooding emergency in 30 years, which affected thousands of people in Baghdad with non-food item kits, plastic sheets and cash assistance. In January, UNHCR provided assistance to 1,200 families left homeless by floods in Salah ad-Din Governorate.

58. The Chair of the United Nations Development Group and Administrator of UNDP, Helen Clark, visited Baghdad from 1 to 3 December. She raised with Iraqi counterparts the necessity of establishing a cost-sharing mechanism for joint programmes based on the country's development priorities.

59. As at 31 December, the United Nations Development Assistance Framework (UNDAF) had funding of $34,094,784. The process of formalizing allocations from the Government's Partnership Fund, from which Iraq has allocated $30 million to co-finance United Nations programmes, has been difficult, as no line ministry has received an allocation from the Ministry of Finance. Operational modalities for the utilization of those funds are still under discussion, with the Government preferring a parallel mechanism without transferring funds to the United Nations. This situation compounds the difficulty of mobilizing resources in Iraq, as the majority of donors are less keen to contribute funds to a country where they see the potential of self-funding development programmes. The United Nations country team is working on a proposal for a co-financing mechanism that will bring Iraq to net contributing country status.

60. On 4 December, the Kurdistan Regional Government committed to providing additional funding from its 2012 budget to UNDAF programmes. From the allocation of $14 million made to the Kurdistan Regional Government from the Partnership Fund, $12.1 million has been allocated to its share of the costs of 20 United Nations country team programmes.

61. The second phase of the public sector modernization programme, led by UNDP, started on 1 January. The programme provides for decentralization as an important element of a new administrative configuration.

62. On 18 November, the Ministry of Health, UNICEF, WHO and WFP launched the first national nutrition strategy of Iraq, which provides a vision for improving the nutritional status of the Iraqi people and includes targets for reducing the prevalence of stunted children, caused by undernutrition, from 21 per cent to 10 per cent by 2021.

63. A report by WFP entitled "Food security, living conditions and social transfers in Iraq", launched in December, found that overall food deprivation fell from 7.1 to 5.7 per cent in 2011, but that 1.9 million Iraqis still suffered from food deprivation. The findings will assist the Government in targeting the public distribution system to alleviate food insecurity for its affected population.

64. On 8 December, the Ministry of Education, the Ministry of Higher Education and Scientific Research, UNICEF, the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the World Bank launched the country's first national education strategy, which provides a vision for improving access to quality education and promoting free and equal access to preschool, basic and secondary education for all children, especially the most deprived among them.

65. Through the collaboration of UNESCO with Iraqi universities and the Ministry of Higher Education and Scientific Research, two Avicenna e-learning centres were inaugurated, on 28 November and 3 December, at the University of Baghdad and the University of Salahaddin, respectively. In addition, UNESCO supplied a television studio to the University of Baghdad to support education in media literacy and television programming.

66. On 12 December, UNICEF, along with the Government, launched the multiple indicator cluster survey, the largest household survey conducted in Iraq to date, which provides comprehensive data on the situation of children and women in the country. It highlighted the fact that 5.3 million children are deprived of many of their fundamental rights and identified Muthanna, Missan, Ninewa and Thi-Qar as the most vulnerable governorates.

67. From 18 to 20 December, the United Nations Human Settlements Programme and UNDP organized with the Governor of Erbil a national conference on informal settlements and urban governance. Participants discussed the lessons of resettlement and compensation by the Government of Iraq, finding durable solutions for internally displaced persons and practices developed in Erbil on establishing "special planning zones" as a potential basis for new legislation to address informal settlements at the national level.

68. During the reporting period, the Food and Agriculture Organization of the United Nations worked to strengthen the capacity of public agricultural institutions and the delivery of services to ensure sustainable growth in the agricultural sector at the governorate level.

69. UNDP advocacy contributed to the ratification by the Council of Representatives of the Convention on Cluster Munitions, with a law published on 14 January. With UNDP support, Iraq rolled out the first curriculum for primary and secondary schools that promotes transparency, accountability and the fight against corruption.

70. On 1 December, UN-Women sponsored the first "TEDx Women" event in Baghdad, during which a number of innovative ideas for small enterprise and social development were showcased.

71. Technical consultations on transboundary solutions to the environmental challenges of Iraq, held in Tehran on 11 and 12 November, were attended by officials from Iranian ministries and Tehran University. The United Nations Environment Programme (UNEP) and the UNAMI Tehran Liaison Office supported the establishment of a secretariat within the Department of Environment of the Islamic Republic of Iran to secure funding for relevant activities in both countries.

72. Although the scientific data are incomplete, it has been recognized that Iraq is not only affected by dust storms, but it has become one of the main sources of such storms owing to the decades-long degradation of the environment. The increasing number and frequency of dust storms present economic and health risks not only for Iraq, but for the whole region. Between 2001 and 2010, 530 transboundary dust storms were detected in Iraq alone. It is estimated that there will be 300 dust storms every year in the next 10 years. At the Regional Dust Storms Conference held in Kuwait from 20 to 22 November, my Special Representative called for a collective approach to shared environmental challenges and underlined the readiness of the United Nations to provide support. On 21 February, he attended the first United Nations Environment Assembly for UNEP in Nairobi, where the Governments of Iraq, the Islamic Republic of Iran, Jordan, Turkey and the United Arab Emirates pledged their support for a regional intervention on dust storms.

73. On 6 and 7 December, UNESCO organized a workshop for the Iraq national drafting team preparing the World Heritage List nomination file for the Iraqi marshlands.

74. To assist in building the country's capacity in the area of drought management, UNESCO organized a study tour for 14 Iraqi experts from 18 to 24 November to research centres, training institutions and governmental bodies on drought monitoring and management in Kenya.

75. In December, the Ministry of Trade, the United Nations Conference on Trade and Development and the United Nations Industrial Development Organization discussed initiatives to develop trade policy in Iraq and support the country's accession to the World Trade Organization, including by strengthening skills and institutional structures.

E. Gender issues

76. On 17 and 18 December, the UNAMI Gender Unit, in cooperation with the Kurdistan Parliament, conducted a workshop on negotiation and mediation for 29 female parliamentarians. Participants formulated a six-point document recommending a minimum 30 per cent quota for women in all negotiation and mediation forums and delegations; a 30 per cent quota for women across all government structures; amendment of the Kurdistan Political Parties Law to include a 30 per cent quota for women's representation at all levels of party structures, with penalties imposed on party funding if the quota is not met; the participation of women in political party leadership during political negotiations; the establishment of a network under Security Council resolution 1325 (2000) within Parliament; and capacity-building on negotiation, advocacy and lobbying.

IV. Security and operational issues

77. The security environment in Iraq remained volatile and unpredictable throughout the reporting period, fuelled by political and sectarian tensions, with armed opposition groups and terrorist organizations selecting targets and adapting their procedure and techniques. From 16 November to 31 January, 741 Iraqi civilians across the country were killed and 2,285 wounded. In the same period,

311 members of the Iraqi security forces were killed and 532 injured. There was an increase in the number of suicide attacks and indirect fire (mortars and surface-to-surface artillery rockets attacks). While the deliberate targeting of the Iraqi security forces and individuals continues, there appears to be a recurrence of mass casualty attacks in densely populated areas, exploiting sectarian tensions.

78. The former United States Forces-Iraq Provincial Reconstruction Team compound, housing the UNAMI office in Basra, was vacated in December and handed over to the Government of Iraq. A new integrated office was established in Basra under a cost-sharing agreement between UNAMI and the United Nations country team. In addition, the provision of integrated support services at the Kuwait Joint Support Office for UNAMI and the United Nations Assistance Mission in Afghanistan was initiated in December. In line with its budget for 2013, UNAMI enhanced its air capacity with the acquisition of longer-range helicopters.

79. UNICEF and UNHCR opened an office in Basra to expand support to the most deprived and vulnerable populations, namely children, internally displaced persons and refugees in Basra, Missan, Muthanna, Najaf, Qadissiya and Thi-Qar Provinces.

V. Observations

80. I am concerned by increased tensions in Iraq, in particular since the emergence of protests in the western parts of the country. I urge the Government to continue to exercise maximum restraint in dealing with the demonstrators, who in turn should continue to express their demands peacefully. I strongly encourage the Government of Iraq to promptly investigate allegations of human rights violations in a transparent manner. In this regard, I welcome the formation of an interministerial committee and hope that it can quickly complete its review of the demands of the demonstrators in accordance with the Constitution and the rule of law. I also appeal to all parties to intensify their efforts to find solutions to long-standing political, legislative and legal issues through serious dialogue and in a spirit of compromise and flexibility. UNAMI stands ready to assist the Government and its institutions with its good offices in this regard.

81. I remain concerned about continued volatility in relations between the Government of Iraq and the Kurdistan Regional Government. I urge them to resume dialogue on solutions that are informed by principles of mutual respect and federalism based on the Constitution. Transparent and accountable sharing of power and resources is essential for ensuring further political stability, economic growth and prosperity for all. There is no alternative to peaceful coexistence in a united federal Iraq.

82. I commend the new Board of Commissioners of the Independent High Electoral Commission for its professional and timely preparations for the forthcoming governorate council elections of 20 April. I urge the relevant authorities to ensure the fair representation of women and minorities in elected bodies, including by adopting the UNAMI recommendation that a 25 per cent quota for women be enshrined in the electoral laws, applicable to all elections. Similarly, I encourage all stakeholders to ensure that the elections be held in accordance with the current timeline, in a peaceful and orderly manner and free from violence. I reiterate the continuing commitment of the United Nations to support ongoing electoral preparations and to build the Iraqi technical and institutional electoral capacity.

83. I welcome the continuing progress towards the full normalization of relations between Iraq and Kuwait. I continue to believe that a historic opportunity is at hand in this regard. I call upon the Government of Iraq to fulfil all its outstanding obligations under Chapter VII of the Charter of the United Nations without further delay. In this connection, it is important that the Government of Iraq immediately finalize the removal of all obstacles between boundary pillars in order to enable the timely completion of the Iraq-Kuwait boundary maintenance project. I strongly encourage the Governments of Iraq and Kuwait to quickly establish a bilateral boundary maintenance mechanism to take over United Nations responsibilities under Security Council resolution 833 (1993). With regard to the compensation of Iraqi private citizens pursuant to Council resolution 899 (1994), I urge the Government of Iraq to concur with the United Nations proposal to transfer the funds for that purpose as soon as possible. I hope that the positive developments in relations between Iraq and Kuwait will enable the timely resolution of the issue of the return of Kuwaiti and third-country nationals and property and consideration by the Security Council of the exit by Iraq from its obligations under Chapter VII of the Charter.

84. The crisis in the Syrian Arab Republic continues to have a serious political, security and humanitarian impact on Iraq. I thank the Government of Iraq for its generosity and hospitality towards Syrian civilians seeking refuge and protection. I call upon Member States to extend their financial commitment for an adequate response to the crisis.

85. I continue to have serious concerns about some aspects of the administration of justice in Iraq, including reports of abuse and mistreatment of prisoners and detainees, failure to respect due process and shortcomings in meeting fair trial standards. I am also concerned by the particular difficulties faced by women who come in contact with the criminal justice system. I urge the Government of Iraq to ensure that due process is fully respected in line with the Constitution, as well as international human rights law obligations, while at the same time ensuring that alleged cases of abuse and mistreatment are thoroughly investigated and that those responsible are held to full account.

86. I welcome the ongoing expansion of programme delivery by the United Nations country team in Iraq, including the assistance provided to the most vulnerable population. I commend the support provided to Syrian refugees in the north (Domiz camp) and encourage the Government of Iraq to continue to guarantee free entry to all Syrians seeking protection. I recognize the efforts of the Government to co-finance United Nations reconstruction and development programmes and recommend moving forward on suitable operational modalities.

87. I condemn the attack on Camp Hurriya of 9 February and reiterate my call upon the Government of Iraq to promptly and fully investigate the incident and bring its perpetrators to justice. I call upon Iraq to ensure the safety and security of all residents, in line with the memorandum of understanding of 25 December 2011. I also urge Iraq to show flexibility in finding a constructive solution for the resolution of the property issue in Camp New Iraq. I urge the residents and their representatives to engage on this issue in a responsible and constructive manner without further delay. I also implore the residents to engage positively with the UNHCR resettlement process. The refusal of some residents to do so is a significant impediment to the successful completion of the process.

88. I reiterate the strong commitment of the United Nations to facilitating a peaceful and durable solution for the residents of Camp Hurriya and Camp New Iraq, I would like to express my gratitude to those Member States that have offered resettlement opportunities to residents, and I appeal for others to follow suit. The only sustainable solution to this issue depends on the willingness of Member States to offer such opportunities to the former residents of Camp New Iraq. I also appeal to Member States to provide additional financial contributions to sustain the efforts of the United Nations in Camp Hurriya.

89. I am deeply concerned about the unwarranted focus on my Special Representative by those who express support for the residents of Camp Hurriya and the remaining residents of Camp New Iraq. I would urge them to cease spreading insults and falsehoods about the Special Representative and instead help to promote a durable solution. This could include urging residents to accept offers of relocation in third countries and encouraging Member States to accept more residents from Camp Hurriya. Similarly, the significant funds evidently spent on high-profile lobbying could be more usefully utilized to improve aspects of the humanitarian conditions often cited in media and lobbying campaigns. I unequivocally support the efforts of my Special Representative in courageously and creatively doing his utmost to resolve the situation in exceptionally difficult circumstances. I urge other parties to play a constructive role in contributing to his untiring efforts.

90. UNAMI and the United Nations country team continue to be adversely affected in their ability to undertake mandated activities by the continuing absence of a status-of-mission agreement. I wish once again to appeal to the Government to take the steps necessary to ensure that the status-of-mission agreement can be brought into force without further delay.

91. Finally, I wish to thank my Special Representative, Martin Kobler, as well as all United Nations staff serving in Iraq for their hard work and dedicated commitment to support the people and the Government of Iraq.